

AN ACT

relating to the development and use of instructional modules and training for public schools on the prevention of sexual abuse and sex trafficking and participation by the human trafficking prevention task force in that development.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.017 to read as follows:

Sec. 28.017. INSTRUCTION ON PREVENTION OF SEXUAL ABUSE AND SEX TRAFFICKING. (a) The commissioner, in cooperation with the human trafficking prevention task force created under Section 402.035, Government Code, and any other persons the commissioner considers appropriate, shall develop one or more sexual abuse and sex trafficking instructional modules that a school district may use in the district's health curriculum. The modules may include:

(1) information on the different forms of sexual abuse and assault, sex trafficking, and risk factors for sex trafficking;

(2) the procedures for reporting sexual abuse and sex trafficking or suspected sexual abuse or sex trafficking;

(3) strategies for sexual abuse and assault prevention and overcoming peer pressure;

(4) information on establishing healthy boundaries for relationships, recognizing potentially abusive or harmful relationships, and avoiding high-risk activities;

1 (5) the recruiting tactics of sex traffickers and peer
2 recruiters, including recruitment through the Internet;

3 (6) the legal aspects of sexual abuse and sex
4 trafficking under state and federal law; and

5 (7) the influence of culture and mass media on
6 perceptions of sexual abuse and sex trafficking, including
7 stereotypes and myths about victims and abusers, victim blaming,
8 and the role of language.

9 (b) The module or modules developed under Subsection (a)
10 must emphasize compassion for victims of sexual abuse or sex
11 trafficking and the creation of a positive reentry experience for
12 survivors of sexual abuse or sex trafficking into schools.

13 (c) Before the beginning of each school year, a school
14 district that elects to use a module developed under Subsection (a)
15 in the district's health curriculum shall provide written notice to
16 the parent of each student enrolled in the district that includes
17 the following:

18 (1) a statement that the district will provide
19 instruction relating to sexual abuse and sex trafficking awareness
20 to students enrolled in the district;

21 (2) a description of the material that will be used in
22 providing instruction to students; and

23 (3) a statement that the parent has the right to review
24 the material and remove the parent's student from the instruction.

25 (d) If a school district does not comply with the
26 requirements of Subsection (c), a parent of a student enrolled in
27 the district may file a complaint in accordance with the district's

1 grievance procedure developed under Section 26.011.

2 SECTION 2. Section 38.0041, Education Code, is amended by
3 amending Subsections (a), (b), and (c) and adding Subsection (a-1)
4 to read as follows:

5 (a) Each school district and open-enrollment charter school
6 shall adopt and implement a policy addressing sexual abuse, sex
7 trafficking, and other maltreatment of children, to be included in
8 the district improvement plan under Section 11.252 and any
9 informational handbook provided to students and parents.

10 (a-1) A school district may collaborate with local law
11 enforcement and outside consultants with expertise in the
12 prevention of sexual abuse and sex trafficking to create the policy
13 required under Subsection (a), and to create a referral protocol
14 for high-risk students.

15 (b) A policy required by this section must address:

16 (1) methods for increasing staff, student, and parent
17 awareness of issues regarding sexual abuse, sex trafficking, and
18 other maltreatment of children, including prevention techniques
19 and knowledge of likely warning signs indicating that a child may be
20 a victim of sexual abuse, sex trafficking, or other maltreatment,
21 using resources developed by the agency under Section 38.004 or by
22 the commissioner under Section 28.017;

23 (2) actions that a child who is a victim of sexual
24 abuse, sex trafficking, or other maltreatment should take to obtain
25 assistance and intervention; and

26 (3) available counseling options for students
27 affected by sexual abuse, sex trafficking, or other maltreatment.

1 (c) The methods under Subsection (b)(1) for increasing
2 awareness of issues regarding sexual abuse, sex trafficking, and
3 other maltreatment of children must include training, as provided
4 by this subsection, concerning prevention techniques for and
5 recognition of sexual abuse, sex trafficking, and all other
6 maltreatment of children. The training:

7 (1) must be provided, as part of a new employee
8 orientation, to all new school district and open-enrollment charter
9 school employees and to existing district and open-enrollment
10 charter school employees on a schedule adopted by the agency by rule
11 until all district and open-enrollment charter school employees
12 have taken the training; and

13 (2) must include training concerning:

14 (A) factors indicating a child is at risk for
15 sexual abuse, sex trafficking, or other maltreatment;

16 (B) likely warning signs indicating a child may
17 be a victim of sexual abuse, sex trafficking, or other
18 maltreatment;

19 (C) internal procedures for seeking assistance
20 for a child who is at risk for sexual abuse, sex trafficking, or
21 other maltreatment, including referral to a school counselor, a
22 social worker, or another mental health professional;

23 (D) techniques for reducing a child's risk of
24 sexual abuse, sex trafficking, or other maltreatment; and

25 (E) community organizations that have relevant
26 existing research-based programs that are able to provide training
27 or other education for school district or open-enrollment charter

1 school staff members, students, and parents.

2 SECTION 3. Section 402.035(h), Government Code, is amended
3 to read as follows:

4 (h) This section expires September 1, 2019 [~~2017~~].

5 SECTION 4. This Act applies beginning with the 2017-2018
6 school year.

7 SECTION 5. This Act takes effect only if a specific
8 appropriation for the implementation of the Act is provided in a
9 general appropriations act of the 85th Legislature.

10 SECTION 6. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2039 passed the Senate on May 8, 2017, by the following vote: Yeas 27, Nays 4; and that the Senate concurred in House amendment on May 28, 2017, by the following vote: Yeas 26, Nays 5.

Secretary of the Senate

I hereby certify that S.B. No. 2039 passed the House, with amendment, on May 24, 2017, by the following vote: Yeas 141, Nays 5, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor